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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BILL J. JACKSON,

08-CV-6177-JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,

Defendant.

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#23) on August 3, 2009, in which he recommended this Court deny the Commissioner's Motion to Remand (#19), reverse the Commissioner's final decision denying Plaintiff's application for Disability Insurance Benefits, and remand this matter pursuant to sentence four of 42 U.S.C. § 405(g) for the calculation and award of benefits. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (9th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderk's Findings and Recommendation (#23). Accordingly, the Court **DENIES** the Commissioner's Motion (#19) to Remand, **REVERSES** the decision of the Commissioner, and **REMANDS** this matter pursuant to sentence four of 42 U.S.C. § 405(g) for the calculation and award of benefits.

IT IS SO ORDERED.

DATED this 24th day of August, 2009.



ANNA J. BROWN
United States District Judge